

IN THE MATTER OF JAPANESE WAR CRIMES
IN JAVA

British National Office Charge No:

United Nations War Crimes Commission Reference:

A F F I D A V I T

I, Major-General HERVEY DECCE WILNOT SITWELL, MC, of Maze Cottage, Oakleigh, Bedford, make oath and say as follows:-

1. In 1942 I was General-Officer-Commanding, British Troops in Java. I surrendered British troops in Java to Lt. Gen. Maruyama, Commanding Second Guards Division, Imperial Japanese Army. The formal surrender was negotiated through an interpreter M. Kohri(?), who was the Japanese Consul at Surabaya. With me was Air Vice Marshal Maltby, who surrendered the Royal Air Force on the Island.
2. When the terms were originally handed to Air Vice Marshal Maltby and myself, they were of unconditional surrender, and that all troops would obey absolutely any orders of the Japanese troops. I, and I think Air Vice Marshal Maltby also, asked Maruyama through his interpreter whether that would mean that we would have the benefit of the Geneva Convention. The General said that we should certainly have the benefit of the Geneva Convention, and accordingly a statement to this effect was included in the surrender terms. The surrender terms were signed by Air Vice Marshal Maltby, Brigadier Blackburn (Commanding Australian troops), Colonel Searle (Commanding U.S. troops), and myself (Commanding British troops in Java). There were present at the signing of the surrender on the Japanese side Colonel Oki, Chief of Staff to General Maruyama, Major Saitu, Senior Intelligence Officer, the General's ADC, Lt. Tachibana, and the interpreter. Air Vice Marshal Maltby suggested that the word "lawful" should be inserted before the word "orders", but the Japanese refused to insert this word, arguing that no orders given by the Japanese would be illegal, and further that we were completely covered against illegal orders by the promise that the conditions of the Geneva Convention would be fulfilled. The surrender was finally effected on 12th March, 1942.
3. On or about 20th March, 1942, I was sent for and interrogated by Saitu. He asked me a number of questions which I refused to answer, the upshot of which was that Saitu said I must answer and that I was only a prisoner. He then threatened me and said that it would cost me my life if I did not answer. I said that under the Geneva Convention he could not make use of threats. His answer to this was that Japan only stuck to the Geneva Convention when it suited her the same as Britain did. I got angry at this and turned my back on Saitu, whereupon he gave an order to the guard and I was taken outside. I was eventually taken to a cell where I was handed over to about 5 dirty Japanese who were in uniform, although I

do not know of what formation. They proceeded to beat me up with their hands and boots, kicking me in the ribs frequently and about the head. They endeavoured to remove my badges of rank which I was wearing, and I was eventually knocked unconscious. I still have the effects of this beating in a bump on the top of my head. I was kept in this cell for 10 days with my hands handcuffed behind my back, and for 4 days with my hands handcuffed in front of me, with no food for some days except for 2 balls of rice given to me on the first day, and without any water for 2 days. I was only released from the handcuffs for feeding and to carry out natural functions. During the time I was released from the handcuffs there was a guard standing over me. The guards were changed every 24 hours.

4. At the end of 14 days I was taken from the cell to another building where I was again questioned, mostly on matters of a personal and non-military nature, all of which questions I answered. During the time I was in the second building I was kept under conditions which though not physically uncomfortable, were mentally extremely so far as there were some 25 Dutch and Indonesian prisoners, some of whom were taken out during the day and beaten up and returned in a fainting condition covered with blood, obviously as a result of being beaten up. Some were ill-treated in the room and one never knew when one's own turn was coming. This ill-treatment occurred in the R.C. School at Bandung. The other 3 Senior British Officers who were present were Brigadier S.R. Pearson, Air Commodore Staten, RAF, and Group Captain Bishop, RAF. The person who interrogated me at this school I would describe as about 5'7"/8" in height, obviously pure Japanese. He spoke English well. He did not wear any badges of rank, but wore some sort of uniform. His mode of attack was that the British were excellent, but they had been let down by the Dutch and the Americans. So far as I know there was no Commandant at this school, and I imagine that it was part of the Japanese build up of the reign of terror in Bandung.

5. After 4 days in the school I was taken to Soekamiskien jail. We stayed in Soekamiskien jail until 18th April, 1942. I have no complaints with regard to this place beyond shortage of food.

6. I give the following descriptions of the persons named in this affidavit:

Maruyama Tall; spoke English very well; slight build; rather fair for a Japanese; fair hair; he knew Java very well and told Air Vice Marshal Maltby at an interview that he had lived in Gerraret (?) in the island for 2½ years before the war.

Saitu Very dark; wore spectacles; very Japanese in appearance; rather a projecting jaw; had a most villainous face.

Ok Very dark; did not wear spectacles; very Japanese in appearance; rather fat face with projecting jaw; villainous looking.

Kohri A Swiss; tall; very sallow; very thin in the face; wore
pince-nez (I think); lived in Surabaya before the war.

SWORN by the said Major-General)
HERVEY DEGGE WILLIOT SITWELL, MC.)
at 6 Spring Gardens in the City)
of Westminster, this 10th day of)
December, 1945.)

Before me

(Sgd) R.C. Halse

Colonel
Mil.Dept. Legal Staff.
Office of the JAG,
LONDON.

I certify that this is a true copy of the original affidavit.

/s/ Rathereedan Captain
Legal Staff,
Office of the Judge Advocate General.

5776.

No.2

軍指揮官)陸軍大佐サール / SEARLE / (米國軍指揮官)ト
 余(ハ哇英國軍指揮官)トテ署名セラレタ。コ、降服調印ニ、日
 本側デ、ハルヤマ / HARUYAMA / 將軍、參謀長オキ / OKI /
 陸軍大佐先任情報官、サイツ / SAITU / 少佐、將軍、副
 官タチバナ / TACHIBANA / 中尉ト、同時ニ、モルトビー / MALTBY /
 航空兵少將ハ「命令」ヲ語、前ニ「適法」ヲ語、押入スベキ
 ナイカト云ツタ。日本側ハ日本軍、発スル命令ニ非合法、モ
 ルトビートカ受ニ又セズ、GENEVA / 條約、條件が履行セラ
 レト云フ前提ヲ我々、非合法命令ニ從ハナイデヨイヤウニ
 庇護サレ居ル等ト云ツタ。此、語ヲ押入スルコトヲ拒シタ。降服
 ハ一九四三年 / 昭和十七年 / 三月十二日ニ遂ニ效カラセタ。
 三一九四三年 / 昭和十七年 / 三月二十日前後余ハサイツ / SAITU /
 ニ呼ビテ訊問ヲ受ツタ。彼ハ續ク質問ヲシタガ余ハ答ヘ
 ンヲ拒シタ。其ノ結果ハサイツ / SAITU / ニ余ハ返答ヲシタ
 レバナリヤセン。余ハ一介、ヒカレ者デアルト云ツタ。彼ハ夫レカラ
 余ヲ強迫シテ返答ヲシタヘ命ハナイゾト云ツタ。余ハ
 セズ、GENEVA / 條約、下デハ有追手段ハ執シナイ
 ヤダト云ツタ。彼ハ之ニ對スル返事ハ日本ハ英國ガレト
 同ヤウニ日本ニ適当ナ場合ニセズ、GENEVA / 條約ヲ
 守ルベキト云フ、クツタ。余ハ之ヲ聞イテムツトナリ。
 サイツ / SAITU / ニ背ヲ向ケタ。ソコデ彼ハ衛兵ニ命ジテ
 余ヲ外ニ連れ出サシタ。其ノ結果余ハ或所ニ連シテ行カシ
 自命デハ何、權屬カハ賞エナイガ制服ヲ着タ五人程、汚
 イ日本人ニ其処デ泣サレタ。彼等ハ巾や長靴デ余ヲ打タ
 ニカカリ幾度トテ肋骨、上ヲ蹴リ又頭、上ヲ蹴ツタ。彼
 等ハ余ガ着着ケテキタ階級章ヲ取り外サウトシタ。ソデ

571b

余ハ意識ヲ失フツテアッテ打撃ヲ受ケ、打撃ノ結果、今猶
余ハ頭、腹ニ傷ヲ受ケテ残リテ居ル。余ハ此ノ傷ニ最初、日三
チガハレタニ概シ、食以外ニハ五日間、何ニ與ヘラズ又二日程水
モクテ十日間、背後ニ兩手ヲ手錠ニ被テラレ、四日間、胸ノ前ニ
兩手ヲ手錠ニ被テラレテ入シラレテ居タ。余ハ食事を執ルヲ
ト大小便ヲスル時、タテ手錠ヲ脱サシタ。余ガ手錠ヲ脱サシ
テタ時、絶ニズ當兵ガ傍ニ立ツテ居タ。當兵ハ二十時間毎ニ更
替サセラレタ。

四、十四日經ツテ余ハ其ノ房ヲ出サレテ他ノ建物ニ入ラレタ。其ノ建物
中デ余ハ再ビ訊問セラレタ。ソレハ主トシテ一身ニ及ビ非軍事的
性質ニ關スルコトデアッタ。余ハ是等ニ對シテ米々々返答シタ。
亦ニ、建物ニ居タ期間、肉体的ニ不愉快ナ状態ニ遭カシメ
ツタが精神的ニ殊更遺憾ヲ思ヒラレタ。トイフ。其處ニ、北蘭
人ト印度系ノ人囚人ガ約ニ五名程居テ其ノ内、或者八日
中ハ連レモサレテ打撃セシメ、明カニ激シク打撃セラレタタラ
シク血塗シテ甚テ絶狀態ニ至ラセタカラデアル。或者、却テ
中デ虐待セラレタ。ソレヲ我等ハ夫レガ何時我身ノ上ニ覆ヒ掛
ツテ來ルカ知レカッタ、デアル。コノ虐待ハバンドン / BANDONG /
ニ在ル R. C. 学校デ起ツタ。居合セタ他、三名、英國、上級
將校、旅團長エス・アール・ピアソン / S. R. PEARSON / 英
國空軍航空旅團少將ステイトン / STATON / 英國空
軍、航空兵大佐ビショップ / BISHOP / 等。コノ学校
デ余ヲ訊問シタ者ハ身、大五フットトハインチ程モアツ
タラカ、明カニ絶對、日本人タラタ。彼ハ英語ヲ上手ニ話
シタ。彼ハ何等階級者ヲ着ケテ居サカツタガ或制服ヲ着
テキタ。彼ハ攻撃、仕方ハ英國人優ラキル。ケレトモ英國人

No. 3

571.6

和蘭人や英國人を抑へてゐた。上へ風を吹く。余、知
てキルトコロチ、コロチ学校に一人、指揮官を任うた。ソレテ
余、夫レにバンドン / BANDONG / 日本人に依り、露み出され
ク恐怖時代を享てて居た。タト想像シタ。

其学校に四日居テ後、余、ソーカミスケン / SOEKAMISKEN /
監獄へ移され。余、ソーカミスケン監獄に一九四三年 / 昭和十
七年 / 四月十八日迄居タ。食糧が不足シタ。イフ以外
余、此地で苦痛を被。

余、此、伝述者ヲ名ヲ掲ゲテ人物、記述ヲ次ニ致サシ。
ハルヤマ / HARUYAMA / 背丈が高イ。英語ヲ能ク話ス。
瘦型。日本人トシテ、色白、頭髮モ赤イ。彼、爪哇ニ通
曉シテ居リ。或、會見、際、モールビー / MALTBY / 航空兵
少將ニコ、島、ジェラレット / GERRARET (?) / 戦争前二
三年半住ンテ居タ。語シタ。

サイツ / SAITU / 色黒。眼鏡ヲ掛ケテ居ル。

一見サモ日本人ウシイ。頭が突キ出テキル。

極メテ不潔。タミイ容貌。

オキ / OKI / 色黒。眼鏡ヲ掛ケス。一見サモ日本人ウシイ。

肥ツク顔立テ頭が突キ出テキル。不潔。タミイ容貌。

コホリ / KOHRI / スキス人皆大。高イ。血色が非常ニ悪

イ。顔、瘦キテキル。鼻眼鏡ヲ掛ケテ居ル(ト思フ)。

戦前スラバヤ / SURABAYA / 住ンテ居タ。

No. 4

一九四五年 / 昭和二十年 / 十二月十日

在ウエストミンスター / WESTMINSTER / 中

スプリングガーデン / SPRING GARDEN / 小島地ニ在リ

57/6.

前記、陸軍少将(十三年佩用者)に、

HERVEY DEGGE WILMOT SITWELL /

依り宣誓せし

余、面前に於て

アール・シー・ハルセ (署名)

/ R. C. HALSE /

陸軍大佐、法務官

在倫敦法務局軍務課

本書、供述書原本に相違なく、

法務局に於て法務官のサインを

/ RATHCERCEDAN CAPTAIN / 署名

No. 5-